



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#7  
11/18/99  
ec

In re Application of : Michael J. SULLIVAN  
For : **IMPROVED MULTI-LAYER GOLF BALL**  
Serial No. : 09/121,628  
Filed : July 23, 1998  
Group Art Unit : 1713  
Examiner : D. Buttner  
Last Office Action : August 2, 1999  
Attorney Docket No. : SLD 2 035-1-1-1(I)  
(P-3724-F2-C1)

Cleveland, Ohio 44114-2518  
November 1, 1999

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 CFR 1.321(b))**

**Identification Of Person Making This Disclaimer:**

Name of disclaimant Richard M. Klein  
Business Address 1100 Superior Avenue, Suite 700  
Cleveland, Ohio 44114-2518

represent that I am

- ☐ an inventor of this invention
- ☐ an assignee of this invention
- ☒ a representative authorized to sign and empowered to act on behalf of the assignee identified below.

RECEIVED  
NOV 10 1999  
11:00 AM  
TC 1700 MAIL ROOM  
11/08/1999 KSHIFER 00000040 0912162X 01 FC:148

**Identity of Assignee and Title of Disclaimant:**

The Assignee is

Name of Assignee Spalding Sports Worldwide, Inc.

Address of Assignee 425 Meadow Street

Chicopee, MA 01021-0901

Title of disclaimant authorized to sign on behalf of

Assignee: Attorney of Record

**Recordal of Assignment in PTO**

x the assignment is being recorded.

Information concerning recordal of the assignment to Assignee  
Spalding Sports Worldwide, Inc., is not yet available at this time.

**Extent of Interest**

The extent of interest is in

x the whole of the invention

I state that the relevant evidentiary documents have been reviewed, and  
certify that to the best of my knowledge and belief, title is in the assignee  
taking this action.

**Disclaimer**

I hereby disclaim the terminal part of any patent granted on the above-  
identified application, which would extend beyond the expiration date of the  
full statutory term of:

x United States Patent No. 5,803,831

and hereby agree that any patent so granted on the above-identified  
application shall be enforceable only for and during such period that the legal  
title to said patent shall be the same as the legal title to

x United States Patent No. 5,803,831

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

  x   United States Patent No. 5,803,831, as presently shortened by any terminal disclaimer

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

**Fee Status**

(37 CFR 1.20(d) and 37 CFR 1.321)

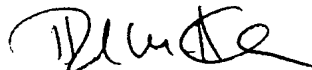
  X   other than a small entity - fee \$ 110.00

       small entity - fee \$ 55.00

  X   Attached is a check in the amount of \$ 110.00

  x   Charge Deposit Account No. 06-0308 for any fee deficiency required by this paper. A duplicate copy of this disclaimer is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Richard M. Klein  
Reg. No. 33,000  
FAY, SHARPE, FAGAN,  
MINNICH & McKee, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, Ohio 44115-2518  
(216) 861-5582

**Attorney for Assignee**